

Forty-first Legislature, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 98, "An Act to amend Article 2806, Revised Civil Statutes, 1925, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 932, "An Act authorizing the county boards of certain counties to set aside an amount not to exceed six hundred dollars (\$600) to defray the expenses of the county superintendent and the county board of trustees in the administration of scholastic affairs; repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 5, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 991, "An Act to amend Article 1307 of the Revised Civil Statutes of 1925, and legalizing and validating certain notices heretofore given, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

#### FIFTY-FIRST DAY.

(Wednesday, May 6, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Adams of Harris.	Hines.
Adams of Jasper.	Holder.
Adamson.	Holland.
Adkins.	Holloway.
Akin.	Hoskins.
Albritton.	Howsley.
Alsup.	Hubbard.
Anderson.	Hughes.
Baker.	Jackson.
Barron.	Johnson
Beck.	of Dallam.
Bedford.	Johnson
Bond.	of Dimmit.
Bounds.	Johnson of Morris.
Boyd.	Jones of Shelby.
Bradley.	Jones of Atascosa.
Brice.	Justiss.
Brooks.	Kayton.
Bryant.	Keller.
Burns of Walker.	Kennedy.
Burns	Laird.
of McCulloch.	Lasseter.
Carpenter.	Lee.
Caven.	Lemens.
Claunch.	Leonard.
Coltrin.	Lilley.
Coombes.	Lockhart.
Cox of Lamar.	Long.
Cox of Limestone.	McCombs.
Cunningham.	McDougald.
Dale.	McGill.
Daniel.	McGregor.
Davis.	Magee.
DeWolfe.	Martin.
Dodd.	Mathis.
Donnell.	Mehl.
Dowell.	Metcalfe.
Dunlap.	Moffett.
Duvall.	Moore.
Dwyer.	Munson.
Elliott.	Murphy.
Engelhard.	Nicholson.
Farmer.	Olsen.
Farrar.	O'Quinn.
Ferguson.	Patterson.
Finn.	Petsch.
Fisher.	Pope.
Forbes.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Gilbert.	Reader.
Giles.	Richardson.
Goodman.	Rogers.
Graves.	Rountree.
Greathouse.	Sanders.
Grogan.	Satterwhite.
Hanson.	Savage.
Harman.	Scott.
Harrison	Shelton.
of El Paso.	Sherrill.
Harrison	Smith of Bastrop.
of Waller.	Smith of Wood.
Hatchitt.	Sparkman.
Hefley.	Stephens.
Herzik.	Stevenson.
Hill.	Steward.

Strong.	Wagstaff.
Sullivant.	Walker.
Tarwater.	Warwick.
Terrell	Weinert.
of Cherokee.	West of Coryell.
Terrell	West of Cameron.
of Val Verde.	Westbrook.
Towery.	Wiggs.
Turner.	Wyatt.
Vaughan.	Young.
Veatch.	

Absent.

Van Zandt.

Absent—Excused.

Hardy.

Morse.

A quorum was announced present.  
Prayer was offered by the Rev.  
John W. Holt, Chaplain.

#### BILLS ORDERED PRINTED.

On motion of Mr. Farmer (by unanimous consent), House bill No. 1049, which was on yesterday ordered not printed, was ordered printed.

On motion of Mr. Young, House bill No. 214, reported adversely, with a minority favorable report, was ordered printed.

#### COMMUNICATION FROM THE TEXAS MANAGING EDITORS' ASSOCIATION.

The Speaker laid before the House and had read the following communication:

Austin, Texas, May 3, 1931.

Be it resolved, That the Texas Managing Editors' Association, representing seventy-nine daily newspapers of this State, memorialize the Forty-second Legislature of Texas to pass at this session Senate bill No. 476 by Senator Margie Neal, providing for the speedier and more nearly complete reporting and tabulating of election returns; be it further

Resolved, That copies of this memorial be handed to the Lieutenant Governor and Speaker of the House for communication to both bodies.

Adopted this 3d day of May, 1931, by the Association at its semi-annual convention.

JAMES R. RECORD,  
President;  
ALLEN MERRIAM,  
Secretary.

#### INVITING MR. LANDIS TO READ FOR THE HOUSE.

Mr. Duvall offered the following resolution:

Whereas, The Hon. D. S. Landis, a poet of national recognition and a prominent citizen of Texas, is now in the reception room of the House of Representatives; and

Whereas, The work of Mr. Landis has received both national and international recognition; and

Whereas, He has been nominated for the post of Poet Laureate of Texas, and many of the members of the House have not had occasion to hear any of his work read; now, therefore, be it

Resolved, That the House of Representatives invite Mr. Landis to read several of his short selections to the House, and that he be allotted five minutes this morning for that purpose.

Signed—Duvall, Patterson, Farmer, Burns of McCulloch, Dodd, Dunlap, Brooks, Young, Fuchs, Akin, Gilbert and Hubbard.

The resolution was read second time, and was adopted.

#### PROVIDING FOR COMMITTEE TO INVESTIGATE ADVISABILITY OF CONSOLIDATING CERTAIN STATE DEPARTMENTS.

Mr. Graves offered the following resolution:

H. C. R. No. 58, Providing for committee to investigate the advisability of consolidating certain State departments:

Whereas, The Forty-first Legislature created the office of State Auditor and Efficiency Expert, and same has been functioning for nearly two years, and during such time has uncovered many irregularities as well as stopped many unwise practices in our government; and

Whereas, It was the intention of the said Legislature that the cost of State government and functions should be placed on an economical and efficient basis as soon as possible, by such auditor and other State agencies; and

Whereas, On account of the continued financial depression, and the lowering of the value of taxable property, and the lowering of earning power of the taxpayer, the Forty-second Legislature has been forced to reach out and find new avenues of taxation to explore and new revenues to bring into the Treasury, in order to properly carry on the different functions of the government in an efficient and economical manner; and

Whereas, It is the desire of the people of this State and this Legislature to economically administer their governmental affairs without unduly or unfairly burdening the citizens with unnecessary or exorbitant tax levies, and without unduly alarming or overburdening capital now invested in this State, or contemplating such investments; and

Whereas, There is an undoubted duplication of work, employment and expense in many of the departments and institutions of this State, as well as many unnecessary departments thereof, which duplication both of expense and labor could be done away with, if the Legislature knew how, and in what way such could be reduced. Now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That the Speaker appoint three members of the House, and the President of the Senate appoint two members of the Senate for the purpose of making a thorough investigation of all State institutions and State departments of any and all kind, including the State judiciary, the State departmental, the State eleemosynary and the State educational institutions, with a view to ascertaining if such institutions and departments may be, or can be operated at a greater efficiency, and a lesser expense to the taxpayers of this State; and as to whether or not the policies and operation of such institutions can be changed, in such a way that the cost of government might be reduced, and/or a greater service be rendered by such institutions to the people of this State, and whether some of such institutions or departments may be consolidated and made to function more efficiently and at a lesser expense to the people; and as to how the affairs of this State may be run in a more economical manner without affecting the efficiency of such affairs; and be it further

Resolved, That it is herein made the duty of the Board of Control to work with, and co-operate with said committee in furnishing all the information and aid available from such board, and the State Auditor is also hereby instructed to co-operate with said committee in all its herein directed labors, and to advise with such committee and assist them in any way he may be able, by his presence, advice and suggestions; and be it further

Resolved, That all necessary expenses pertaining to said investigation, this committee's labors, including expenses of the committee while on such business, shall be paid out of the funds now in the State Treasury, left over from the contingent fund of the Forty-first Legislature, to be paid out on sworn accounts, signed by the chairman of this committee and the Speaker of the House. Such committee shall elect a chairman and a secretary; the chairman shall preside over such committee meetings, and with the consent of a majority of such committee, shall direct its activities; may conduct hearings, may summon witnesses and swear them; may punish for contempt as in district courts; may pay witnesses who appear, the same as witnesses are paid in the district court; may pay the same fees as the district court, for summoning witnesses; and may conduct hearings and investigations at any place in the State, deemed advisable for any of such purposes or any other purpose by said committee deemed to be advisable.

Such committee shall report in writing its findings, conclusions and recommendations to the next Legislature, relating to any and all departments, institutions and branches of the State government, and its ideas relative to a better functioning thereof, and elimination of any duplication therein, and saving of time, labor and money that it might see fit to make, so that such can be remedied wherever same may be found to exist, and as to any and all things that such committee might think advisable, relative to its investigations; to bring to the attention of the Legislature any needed or suggested reforms or changes in any of the herein mentioned State affairs.

Signed — Terrell of Val Verde, Graves, Petsch, Bond, Stevenson, Metcalfe, Johnson of Dimmit, Ford, Long, Johnson of Dallam.

The resolution was read second time.

Mr. Satterwhite moved that the resolution be referred to the Committee on State Affairs.

Mr. Keller offered the following amendment to the resolution:

Amend resolution by providing that expenditures shall not exceed \$5000.

Question first recurring on the mo-

tion to refer the resolution to the Committee on State Affairs, it prevailed.

# PROVIDING FOR ADJOURNMENT SINE DIE .

The Speaker laid before the House, as postponed business, for consideration at this time, House concurrent resolution No. 46, providing for adjournment sine die, the resolution having heretofore been read second time, with amendment by Mr. Savage, and substitute by Mr. Johnson of Dimmit for the amendment, pending.

Question first recurring on the substitute amendment by Mr. Johnson of Dimmit, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—83.

Adams of Jasper.	Johnson
Adamson.	of Dallam.
Akin.	Johnson
Barron.	of Dimmit.
Beck.	Jones of Shelby.
Bounds.	Jones of Atascosa.
Bradley.	Justiss.
Brice.	Keller.
Burns of Walker.	Laird.
Burns	Lee.
of McCulloch.	Lemens.
Carpenter.	Leonard.
Caven.	McCombs.
Cox of Lamar.	McDougald.
Cox of Limestone.	McGill.
Cunningham.	McGregor.
Daniel.	Magee.
Davis.	Martin.
Donnell.	Metcalfe.
Dowell.	Moffett.
Dunlap.	Murphy.
Dwyer.	Nicholson.
Elliott.	Olsen.
Engelhard.	Petsch.
Farmer.	Ray.
Finn.	Richardson.
Forbes.	Rogers.
Ford.	Rountree.
Fuchs.	Shelton.
Gilbert.	Sherrill.
Giles.	Smith of Bastrop.
Goodman.	Smith of Wood.
Graves.	Sparkman.
Hatchitt.	Stephens.
Herzik.	Steward.
Hill.	Strong.
Hines.	Turner.
Holder.	Wagstaff.
Holland.	Weinert.
Howsley.	West of Coryell.
Hubbard.	West of Cameron.
Jackson.	Westbrook.

Wyatt.

Young.

## Nays—55.

Adams of Harris.	Kayton.
Albritton.	Kennedy.
Alsup.	Lockhart.
Anderson.	Mathis.
Baker.	Mehl.
Bedford.	Moore.
Bond.	Munson.
Boyd.	O'Quinn.
Bryant.	Patterson.
Claunch.	Pope.
Coltrin.	Ramsey.
Dale.	Ratliff.
DeWolfe.	Reader.
Dodd.	Satterwhite.
Duvall.	Savage.
Farrar.	Scott.
Ferguson.	Stevenson.
Fisher.	Sullivant.
Greathouse.	Tarwater.
Grogan.	Terrell
Hanson.	of Cherokee.
Harman.	Terrell
Harrison	of Val Verde.
of Waller.	Towery.
Hefley.	Vaughan.
Holloway.	Veatch.
Hoskins.	Walker.
Hughes.	Warwick.
Johnson of Morris.	Wiggs.

## Present—Not Voting.

Lasseter.

## Absent.

Adkins.	Lilley.
Brooks.	Long.
Coombs.	Sanders.
Harrison	Van Zandt.
of El Paso.	

## Absent—Excused.

Hardy.

Morse.

The amendment as substituted was then adopted.

Mr. Cox of Lamar offered the following amendment to the resolution:

Amend the sine die resolution by inserting "after the expiration of the 120-day session, the members of the Legislature agree to serve the State free of charge."

Mr. Reader moved the previous question on the pending amendment and the resolution, and the main question was ordered.

Question recurring on the amendment by Mr. Cox of Lamar, it was lost.

The resolution as amended was then adopted.

COMMUNICATION FROM THE  
ATTORNEY GENERAL RELATIVE  
TO EXTENDING THE  
TIME OF THE SESSION.

The following communication was ordered printed in the Journal:

Constitutional Law.

1. Amendments to Sections 5 and 24, adopted in November, 1930, construed as not limiting Regular Session to 120 days.

2. Constitutional provisions relating to the same subject must be construed so as to give effect to all of them, if possible.

Offices of the Attorney General,  
Austin, Texas, May 4, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Dear Mr. Minor: Receipt is acknowledged of your letter of May 2, reading in part as follows:

"Senate joint resolution No. 19, passed at the Regular Session of the Forty-first Legislature, proposed the following amendments to the State Constitution, to-wit:

"Section 1. That Section 5 of Article 3 of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"The Legislature shall meet every two years at such time as may be provided by law and at other times when convened by the Governor. When convened in Regular Session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of recess appointees of the Governor, and such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, that during the succeeding thirty days of the Regular Session of the Legislature the various committees of each house shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor; provided further, that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, however, either house may otherwise determine its order of business by an affirmative vote of four-fifths of its membership.

"Sec. 2. That Section 24 of Article 3 of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Members of the Legislature shall receive from the public Treasury a per diem of not exceeding \$10 per day for the first 120 days of each session, and after that not exceeding \$5 per day for the remainder of the session.

"In addition to the per diem, the members of each house shall be entitled to mileage in going to and returning from the seat of government, which mileage shall not exceed \$2.50 for every twenty-five miles, the distance to be computed by the nearest and most direct route of travel, from a table of distances prepared by the Comptroller to each county seat now or hereafter to be established; no member to be entitled to mileage for any extra session that may be called within one day after the adjournment of a Regular or Called Session."

"These amendments were duly adopted by a vote of the people on last November, and the Forty-Second Legislature was organized in conformity with the constitutional amendments thus adopted.

"On May 12th, 1931, the Legislature will have been in session for a period of 120 days. Please advise whether the Legislature can extend the Regular Session beyond the expiration of the 120-day period in the event it should be deemed necessary so to do in order to complete in a satisfactory manner the legislative program now pending."

Before the adoption of the amendment to Section 5 of Article 3 of the Constitution, set out in your letter, said section provided:

"The Legislature shall meet every two years at such times as may be provided by law and at other times when convened by the Governor."

The last quoted provision was brought forward in identical words in the amendment adopted by vote of the people in November, 1930. As amended, said section carried the additional provision set out in your letter dealing with the order of business during a Regular Session.

There is no express limitation under the amendment as to the duration of a Regular Session. In the absence of such express limitation, it would necessarily have to be by implication. The amended section, however, merely prescribes the order of busi-

ness for 120 days of the Regular Session and does not, thereby, limit such session to that period of time. After prescribing what shall be done in the first thirty days, and the succeeding thirty days, it is then provided further that "during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending," etc. It is to be noted that in referring to the third period, or division, of the 120 days of the Regular Session the language, "the following sixty days," rather than "the last or final sixty days," is employed.

Section 24 of Article 3, prior to its amendment in November, 1930, provided for compensation and mileage of members of the Legislature. That part of said section dealing with per diem read as follows:

"The members of the Legislature shall receive from the public Treasury such compensation for their services as may from time to time be provided, but not exceeding \$5 per day for the first sixty days of each session; and after that not exceeding \$2 per day for the remainder of the session; except the first session held under this Constitution, when they may receive not exceeding \$5 per day for the first ninety days and after that not exceeding \$2 per day for the remainder of the session."

Amended Section 24 of Article 3 covering this matter largely employs the identical language of said section before its amendment, the principal difference being only in the amount to be received per day. Clearly, the provision that the members of the Legislature shall receive not exceeding \$10 per day for the "first 120 days of each session, and after that not exceeding \$5 per day for the remainder of the session," evidences an intention not to limit the Regular Session of the Legislature to 120 days. If it had been intended to place such a limitation upon the Regular Session, it would have been unnecessary to make any provision for the pay "for the remainder of the session."

Special Sessions are expressly limited to thirty days' duration by the terms of Section 40 of Article 3 of the Constitution, reading in part as follows: ". . . and no such session shall be of longer duration than thirty days."

Our courts have held that constitutional provisions relating to the

same subject must be construed so as to give effect to all of them if possible. *City of San Antonio vs. Toepferwein*, 133 S. W. 416, 104 Texas 43.

As stated heretofore, the provisions of Section 5, which you quote in your letter, relates solely to the order of business for the first 120 days of the Regular Session. There seems to be no constitutionally prescribed order of business for the remainder of the Regular Session.

It is significant that the two sections amended were submitted in the same joint resolution to a vote of the people. Construing them together, therefore, we are of the opinion that the Regular Session of the Legislature is not limited to 120 days.

Very truly yours,

JAMES V. ALLRED,  
Attorney General of Texas.

#### NOTICE GIVEN.

Mr. Leonard, on yesterday, gave notice that he would, on today, move to take up for consideration at that time, Senate bill No. 72, which bill had heretofore been laid on the table subject to call.

#### SENATE JOINT RESOLUTION NO. 2 ON FINAL PASSAGE.

The Speaker laid before the House, as postponed business, on its final passage,

S. J. R. No. 2, Proposing an amendment to Article 3 of the Constitution of the State of Texas by adding to Section 48 thereof a provision authorizing the levying of taxes for State highway purposes and by adding to Section 49 of said article a provision enabling the Legislature to provide for the extension of the credit of the State for the purpose of the construction of a system of State highways and reimbursing outlays and assuming obligations made by counties and defining road districts of the State thereof.

The resolution having heretofore been read third time.

Mr. Hubbard offered the following amendment to the resolution:

Amend Senate joint resolution No. 2, Section 2, page 9, line 24, and also in Section 3, page 12, line 21, by adding in each section after the word "selling" the following words: "and/or on the sale of, and/or on the use of."

Signed—Hubbard, Beck, Johnson of Dimmit, Petsch, Holder, Howsley.

Mr. Gilbert moved a call of the

House for the purpose of maintaining a quorum pending consideration of Senate joint resolution No. 2, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Gilbert, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

Mr. DeWolfe moved the previous question on the pending amendment and the resolution, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Question recurring on the amendment by Mr. Hubbard, it was adopted by the following vote:

## Yeas—106.

Adams of Harris.	Hatchitt.
Adams of Jasper.	Herzik.
Adamson.	Hill.
Albritton.	Hines.
Alsup.	Holder.
Beck.	Howsley.
Bedford.	Hubbard.
Boyd.	Hughes.
Bradley.	Jackson.
Brice.	Johnson
Bryant.	of Dallam.
Burns of Walker.	Johnson
Burns	of Dimmit.
of McCulloch.	Johnson of Morris.
Carpenter.	Jones of Shelby.
Caven.	Jones of Atascosa.
Claunch.	Justiss.
Coltrin.	Kayton.
Cox of Lamar.	Keller.
Cox of Limestone.	Laird.
Cunningham.	Lasseter.
Dale.	Lee.
Davis.	Lemens.
Dodd.	Leonard.
Dowell.	Lilley.
Duvall.	McCombs.
Dwyer.	McDougald.
Finn.	McGill.
Forbes.	Magee.
Ford.	Martin.
Fuchs.	Mathis.
Gilbert.	Mehl.
Greathouse.	Metcalfe.
Grogan.	Moffett.
Harman.	Moore.
Harrison	Morse.
of El Paso.	Munson.
Harrison	Murphy.
of Waller.	Nicholson.

Olsen.	Sullivan.
O'Quinn.	Terrell
Patterson.	of Cherokee.
Petsch.	Terrell
Ratliff.	of Val Verde.
Ray.	Towery.
Reader.	Turner.
Richardson.	Vaughan.
Rountree.	Veatch.
Sanders.	Wagstaff.
Satterwhite.	Walker.
Savage.	Warwick.
Shelton.	Weinert.
Sherrill.	Westbrook.
Smith of Bastrop.	Wiggs.
Sparkman.	Wyatt.
Steward.	Young.
Strong.	

## Nays—28.

Akin.	Graves.
Anderson.	Hanson.
Bond.	Holloway.
Bounds.	Hoskins.
Brooks.	Kennedy.
Daniel.	McGregor.
DeWolfe.	Pope.
Donnell.	Ramsey.
Elliott.	Rogers.
Farmer.	Scott.
Ferguson.	Smith of Wood.
Fisher.	Stevenson.
Giles.	Tarwater.
Goodman.	West of Coryell.

## Absent.

Adkins.	Hefley.
Baker.	Holland.
Barron.	Lockhart.
Coombes.	Long.
Dunlap.	Stephens.
Engelhard.	Van Zandt.
Farrar.	West of Cameron.

## Absent—Excused.

Hardy.

Mr. Hubbard offered the following amendment to the resolution:

Amend Senate joint resolution No. 2, Section 2, page 9, line 40, and page 10, line 1, and also in Section 3, page 12, lines 37 and 38, by striking out in each section the following: "A tax on the business of selling gasoline, or other motor fuel," and insert in each section in lieu thereof the words: "any and all taxes."

Signed—Hubbard, Beck, Johnson of Dimmit, Petsch, Holder, Howsley.

The amendment was adopted by the following vote:

## Yeas—103.

Adams of Harris.	Albritton.
Adams of Jasper.	Alsup.
Adamson.	Beck.

Bedford.	Laird.
Boyd.	Lee.
Bradley.	Lemens.
Brice.	Leonard.
Bryant.	Lilley.
Burns of Walker.	Lockhart.
Carpenter.	McCombs.
Caven.	McDougald.
Claunch.	McGill.
Coltrin.	Magee.
Cox of Lamar.	Martin.
Cox of Limestone.	Mathis.
Cunningham.	Mehl.
Daniel.	Metcalfe.
Dodd.	Moffett.
Donnell.	Moore.
Dowell.	Morse.
Duvall.	Munson.
Dwyer.	Murphy.
Finn.	Nicholson.
Fisher.	Olsen.
Forbes.	O'Quinn.
Ford.	Patterson.
Fuchs.	Ratliff.
Gilbert.	Ray.
Greathouse.	Reader.
Harman.	Richardson.
Harrison	Rountree.
of El Paso.	Satterwhite.
Harrison	Savage.
of Waller.	Shelton.
Hatchitt.	Sherrill.
Hefley.	Smith of Bastrop.
Herzik.	Sparkman.
Hill.	Steward.
Hines.	Sullivant.
Holder.	Terrell
Holland.	of Cherokee.
Howsley.	Terrell
Hubbard.	of Val Verde.
Hughes.	Towery.
Jackson.	Turner.
Johnson	Vaughan.
of Dallam.	Wagstaff.
Johnson	Walker.
of Dimmit.	Warwick.
Johnson of Morris.	Weinert.
Jones of Shelby.	West of Cameron.
Justiss.	Westbrook.
Kayton.	Wiggs.
Keller.	Wyatt.

## Nays—24.

Akin.	Graves.
Anderson.	Hanson.
Bond.	Holloway.
Bounds.	Hoskins.
Brooks.	Kennedy.
Dale.	McGregor.
DeWolfe.	Pope.
Elliott.	Ramsey.
Farmer.	Rogers.
Ferguson.	Smith of Wood.
Giles.	Stevenson.
Goodman.	West of Coryell.

## Absent.

Adkins.	Lasseter.
Baker.	Long.
Barron.	Petsch.
Burns	Sanders.
of McCulloch.	Scott.
Coombes.	Stephens.
Davis.	Strong.
Dunlap.	Tarwater.
Engelhard.	Van Zandt.
Farrar.	Veatch.
Jones of Atascosa.	Young.

## Absent—Excused.

Hardy.

Mr. Laird offered the following amendment to the resolution:

Amend Senate joint resolution No. 2, Section 2, by striking out all of the third paragraph in said section, beginning with line 22, and substituting therefor the following:

"A reasonable tax may be levied on gasoline and on other motor fuel, and a reasonable motor vehicle license fee assessed for the construction and maintenance of a system of State highways. Provided, however, that no appropriation shall ever be made from the general revenues and no other tax of any kind or character shall ever be levied for such purpose. Provided further, that one-fourth of any revenues derived from the gasoline tax shall be applied to the public free school fund; and provided further, that in no event shall the portion of motor license fees now allocated by law to the various counties of the State be reduced."

Mr. Beck moved to table the amendment.

The motion to table prevailed by the following vote:

## Yeas—75.

Adams of Harris.	Finn.
Adams of Jasper.	Forbes.
Adamson.	Ford.
Akin.	Gilbert.
Beck.	Giles.
Bedford.	Grogan.
Bradley.	Harrison
Burns of Walker.	of El Paso.
Caven.	Harrison
Cox of Lamar.	of Waller.
Cox of Limestone.	Hatchitt.
Cunningham.	Hines.
Daniel.	Holland.
Davis.	Howsley.
Dwyer.	Hubbard.
Ferguson.	Jackson.



Johnson of Dimmit.	Olsen.
Johnson of Morris.	O'Quinn.
Jones of Shelby.	Patterson.
Jones of Atascosa.	Petsch.
Justiss.	Ratliff.
Keller.	Reader.
Lee.	Rountree.
Lemens.	Scott.
Lilley.	Shelton.
Lockhart.	Smith of Bastrop.
McCombs.	Sparkman.
McDougald.	Steward.
McGill.	Strong.
McGregor.	Sullivant.
Martin.	Tarwater.
Mathis.	Towery.
Mehl.	Turner.
Moore.	Wagstaff.
Morse.	Warwick.
Munson.	Weinert.
Murphy.	West of Coryell.
Nicholson.	West of Cameron.
	Young.

## Nays—49.

Alsup.	Hefley.
Anderson.	Hill.
Bond.	Holloway.
Bounds.	Hoskins.
Boyd.	Johnson
Brice.	of Dallam.
Brooks.	Kennedy.
Bryant.	Laird.
Burns	Lasseter.
of McCulloch.	Leonard.
Carpenter.	Magee.
Claunch.	Moffett.
Coltrin.	Ramsey.
Dale.	Ray.
DeWolfe.	Richardson.
Dodd.	Rogers.
Donnell.	Smith of Wood.
Dowell.	Terrell
Elliott.	of Cherokee.
Farmer.	Terrell
Farrar.	of Val Verde.
Fuchs.	Vaughan.
Goodman.	Veatch.
Graves.	Walker.
Greathouse.	Wiggs.
Hanson.	Wyatt.
Harman.	

## Present—Not Voting.

Fisher.

## Absent.

Adkins.	Holder.
Albritton.	Hughes.
Baker.	Kayton.
Barron.	Long.
Coombes.	Metcalfe.
Dunlap.	Pope.
Duvall.	Sanders.
Engelhard.	Satterwhite.
Herzik.	Savage.

Sherrill.  
Stephens.  
Stevenson.

Van Zandt.  
Westbrook.

## Absent—Excused.

Hardy.

Mr. Laird offered the following amendment to the resolution:

Amend Senate joint resolution No. 2, page 8, Section 2, by striking out all of said section, beginning with line 30 of the printed bill and ending on line 4, page 9, and substituting therefor the following:

"Provided, however, that the credit of the State may be extended for the purpose of raising funds for the construction of a system of State highways and to supplement such funds as may be provided by the Legislature from current sources of revenue derived from special taxes on gasoline and motor power and from license fees assessed and collected for highway construction, for which purpose one hundred million dollars (\$100,000,000) shall be the total amount of bonds to be issued under this amendment.

"In no event shall the Legislature of Texas authorize the issuance of bonds or creation of any obligation of any character in excess of the sum of \$20,000,000 in any one year for the construction of a system of highways. Any evidence of any indebtedness whatsoever issued in excess of the sum of \$20,000,000 in any one year or in excess of \$100,000,000 for all years under this amendment for construction purposes shall be null and void and of no force and effect."

Mr. Petsch moved to table the amendment.

The motion prevailed by the following vote:

## Yeas—76.

Adams of Harris.	Dwyer.
Adams of Jasper.	Ferguson.
Akin.	Finn.
Albritton.	Forbes.
Barron.	Ford.
Beck.	Gilbert.
Bedford.	Giles.
Boyd.	Grogan.
Bradley.	Harrison
Bryant.	of El Paso.
Caven.	Harrison
Cox of Limestone.	of Waller.
Cunningham.	Hatchitt.
Daniel.	Hill.
Davis.	Hines.
Dowell.	Holder.
Duvall.	Holland.

Howsley.	Munson.
Hubbard.	Murphy.
Jackson.	Nicholson.
Johnson	Olsen.
of Dimmit.	O'Quinn.
Johnson of Morris.	Patterson.
Jones of Shelby.	Petsch.
Jones of Atascosa.	Ratliff.
Justiss.	Reader.
Keller.	Rountree.
Lee.	Scott.
Lemens.	Smith of Bastrop.
Lilley.	Sparkman.
Lockhart.	Steward.
McCombs.	Strong.
McDougald.	Sullivant.
McGill.	Towery.
McGregor.	Turner.
Martin.	Wagstaff.
Mathis.	Warwick.
Mehl.	Weinert.
Moore.	West of Cameron.
Morse.	

## Nays—46.

Alsup.	Kennedy.
Bond.	Laird.
Bounds.	Leonard.
Brice.	Magee.
Brooks.	Moffett.
Burns of Walker.	Pope.
Carpenter.	Ramsey.
Claunch.	Ray.
Coltrin.	Richardson.
Dale.	Rogers.
Dodd.	Satterwhite.
Donnell.	Sherrill.
Elliott.	Smith of Wood.
Farmer.	Tarwater.
Farrar.	Terrell
Fuchs.	of Cherokee.
Goodman.	Vaughan.
Graves.	Veatch.
Greathouse.	Walker.
Hanson.	West of Coryell.
Harman.	Wiggs.
Hefley.	Wyatt.
Holloway.	Young.
Hoskins.	

## Present—Not Voting.

Fisher.	Herzik.
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## Absent.

Adamson.	Kayton.
Adkins.	Lasseter.
Anderson.	Long.
Baker.	Metcalfe.
Burns	Sanders.
of McCulloch.	Savage.
Coombes.	Shelton.
Cox of Lamar.	Stephens.
DeWolfe.	Stevenson.
Dunlap.	Terrell of Val Verde.
Engelhard.	Van Zandt.
Hughes.	Westbrook.
Johnson of Dallam.	

## Absent—Excused.

Hardy.

Mr. Finn offered the following amendment to the resolution:

Amend Senate joint resolution No. 2 by adding at the end of Section 3 the following:

"Provided, that the minimum sum of \$180,809.29 shall be set aside for the purpose of assuming and discharging the principal amount of the outstanding road bonds of Montague county and/or its defined road district; and/or for the purpose of reimbursing said county for all moneys expended in the construction of roads which are parts of the system of State highways; and there shall be set aside such additional amounts as may be necessary to pay the principal and interest on such outstanding bonds and to reimburse said county in full for all moneys which have been expended by it or by its defined road districts in the construction of roads which form a part of the State highway system."

Question—Shall the amendment be adopted?

On motion of Mr. Satterwhite, the vote by which the call of the House was ordered was reconsidered.

Question then recurring on the motion for the call of the House, it was lost.

## MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 90, A bill to be entitled "An Act to create the Ninety-second Judicial District of Texas, and declaring an emergency."

S. B. No. 5, A bill to be entitled "An Act to amend Chapter 8, being Senate bill No. 57, General Laws, Fourth Called Session, Forty-first Legislature, and Chapter 10 of Title 122 of the Revised Civil Statutes of Texas of 1925, by adding thereto another article, to be known as Article 7335a, limiting the power of commissioners courts in making contracts in connection with the collection of delinquent taxes; limiting the compensation that can be paid under such contracts, and declaring an emergency."

S. B. No. 74, A bill to be entitled "An Act to amend Article 2763, Revised Statutes, 1925, relating to the supervision of independent districts of fewer than 500 scholastics; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 322, A bill to be entitled "An Act to amend Section 11, Chapter 61, Acts of the Second Called Session of the Legislature of the State of Texas, so as to provide for the payment of the expense of additional examination and prolonged audit and examination and reappraisal of real estate by the association."

S. B. No. 328, A bill to be entitled "An Act to amend Article 462, Chapter 7, Title 16, Revised Civil Statutes of the State of Texas, 1925, relating to expense of liquidation and the approval of expense account of the commissioner; providing for contest of commissioner's expense account and fixing burden of proof, and declaring an emergency."

S. B. No. 348, A bill to be entitled "An Act to amend Article 7272 of Chapter 8, Title 122, of the Revised Civil Statutes of 1925, relating to liability of property for taxes, so as to provide that a person may pay on a part of the property assessed without being required to pay on all of the property assessed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 387, A bill to be entitled "An Act amending Article 6869 by adding thereto another section, to be known as Article 6869a, authorizing the sheriff, with the consent of the commissioners court, to employ not to exceed three (3) deputies in counties of three hundred forty thousand (340,000) population or over, according to the 1930 Federal census, for the purpose of enforcing the Dean Law and other prohibition laws; prescribing the means and manner thereof; fixing the compensation and manner of payment, and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

READINGS BY DR. D. S.  
LANDIS.

In accordance with a resolution heretofore adopted inviting Dr. D. S.

Landis to recite some of the poems of his own composition for the House of Representatives, the Speaker announced the appointment of the following committee to escort Mr. Landis to the Speaker's stand:

Messrs. Duvall, Patterson, Farmer, Burns of McCulloch, Dodd, Dunlap, Brooks, Young, Fuchs, Akin, Gilbert and Hubbard.

The committee having performed their duty, Speaker Minor presented Mr. Duvall, who in turn introduced Mr. Landis to the House.

Mr. Landis then read several poems to the House.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 74, to the Committee on Education.

Senate bill No. 322, to the Committee on Banks and Banking.

Senate bill No. 328, to the Committee on Banks and Banking.

Senate bill No. 348, to the Committee on Revenue and Taxation.

Senate bill No. 387, to the Committee on Counties.

Senate bill No. 5, to the Committee on Revenue and Taxation.

Senate bill No. 90, to the Committee on Judicial Districts.

#### RECESS.

On motion of Mr. Johnson of Dimmit, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Lemens, House bill No. 1050 was ordered not printed.

On motion of Mr. Metcalfe, Senate bill No. 90 was ordered not printed.

On motion of Mr. McDougald, Senate bill No. 612 was ordered not printed.

SENATE JOINT RESOLUTION NO.  
2 ON FINAL PASSAGE.

The House resumed consideration of pending business, same being Senate joint resolution No. 2, relative to authorizing the voting of bonds for highway purpose, the resolution having heretofore been read third time, with amendment by Mr. Finn pending.

Mr. Savage moved a call of the House for the purpose of maintaining a quorum pending consideration of Senate joint resolution No. 2, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Carpenter, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

Mr. Hubbard moved to table the amendment by Mr. Finn.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—70.

Adams of Harris.	Hines.
Adams of Jasper.	Howsley.
Adamson.	Hubbard.
Akin.	Jackson.
Albritton.	Johnson
Beck.	of Dallam.
Bedford.	Johnson
Boyd.	of Dimmit.
Bryant.	Johnson of Morris.
Burns of Walker.	Jones of Shelby.
Burns	Justiss.
of McCulloch.	Kayton.
Carpenter.	Lee.
Caven.	Lemens.
Coltrin.	Lockhart.
Cox of Lamar.	McCombs.
Cox of Limestone.	McDougald.
Daniel.	McGill.
Dodd.	Magee.
Dwyer.	Mathis.
Ferguson.	Moore.
Fisher.	Munson.
Forbes.	Murphy.
Ford.	Nicholson.
Gilbert.	Olsen.
Grogan.	O'Quinn.
Harrison	Petsch.
of El Paso.	Ratliff.
Hatchitt.	Rountree.
Herzik.	Shelton.
Hill.	Smith of Bastrop.

Sparkman.  
Steward.  
Strong.  
Sullivant.  
Tarwater.  
Towery.

Turner.  
Wagstaff.  
Warwick.  
Weinert.  
Westbrook.  
Young.

## Nays—45.

Alsup.  
Bond.  
Bounds.  
Brooks.  
Claunch.  
Dale.  
Donnell.  
Elliott.  
Farmer.  
Farrar.  
Finn.  
Fuchs.  
Giles.  
Goodman.  
Graves.  
Greathouse.  
Hanson.  
Harman.  
Holloway.  
Hoskins.  
Hughes.  
Keller.  
Kennedy.

Laird.  
Lasseter.  
Metcalf.  
Moffett.  
Pope.  
Ramsey.  
Ray.  
Reader.  
Richardson.  
Rogers.  
Sanders.  
Satterwhite.  
Scott.  
Sherrill.  
Smith of Wood.  
Stephens.  
Terrell  
of Cherokee.  
Vaughan.  
Veatch.  
Walker.  
Wiggs.  
Wyatt.

## Absent.

Adkins.	Holder.
Anderson.	Holland.
Baker.	Jones of Atascosa.
Barron.	Leonard.
Bradley.	Lilley.
Brice.	Long.
Coombes.	McGregor.
Cunningham.	Martin.
Davis.	Mehl.
DeWolfe.	Patterson.
Dowell.	Savage.
Dunlap.	Stevenson.
Duvall.	Terrell
Engelhard.	of Val Verde.
Harrison	Van Zandt.
of Waller.	West of Coryell.
Hefley.	West of Cameron.

## Absent—Excused.

Hardy. Morse.

Mr. Laird offered the following amendment to the resolution:

Amend Senate joint resolution No. 2, page 10, Section 2, by striking out all of the second paragraph of said section, beginning with line 7, on page 10, and substituting therefor the following:

"A reasonable tax may be levied on gasoline and other motor fuel and a

reasonable motor vehicle license fee assessed for the purpose of reimbursing moneys expended and assuming and/or discharging outstanding obligations made by counties and defined road districts of the State, the proceeds of which were expended in the construction of roads which are parts of the system of State highways at the time of the adoption of herewith. Provided, however, that no appropriation shall ever be made from the general revenue and no other tax of any kind or character shall ever be levied for such purposes. Provided further, that one-fourth of any revenues derived from the gasoline tax shall be applied to the public free school funds, and provided further, that in no event shall the portion of motor license fees now allocated by law to the various counties of the State be reduced."

Mr. Beck moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—75.

Adams of Harris.	Hubbard.
Adams of Jasper.	Jackson.
Adamson.	Johnson
Albritton.	of Dimmit.
Beck.	Jones of Shelby.
Bedford.	Justiss.
Boyd.	Kayton.
Bryant.	Keller.
Burns of Walker.	Lee.
Burns	Lilley.
of McCulloch.	Lockhart.
Carpenter.	McCombs.
Caven.	McGill.
Claunch.	Magee.
Coltrin.	Martin.
Cox of Limestone.	Mathis.
Cunningham.	Moore.
Daniel.	Morse.
Davis.	Munson.
Duvall.	Murphy.
Dwyer.	Nicholson.
Ferguson.	Olsen.
Fisher.	O'Quinn.
Forbes.	Patterson.
Ford.	Petsch.
Giles.	Ratliff.
Grogan.	Reader.
Harrison	Rountree.
of El Paso.	Sanders.
Harrison	Scott.
of Waller.	Shelton.
Hatchitt.	Smith of Bastrop.
Hill.	Sparkman.
Holder.	Steward.
Holland.	Strong.
Howsley.	Sullivant.

Towery.  
Turner.  
Wagstaff.  
Warwick.

Weinert.  
West of Cameron.  
Westbrook.

## Nays—43.

Akin.	Hughes.
Alsup.	Kennedy.
Anderson.	Laird.
Bond.	McDougald.
Bounds.	Moffett.
Bradley.	Pope.
Cox of Lamar.	Ramsey.
Dale.	Ray.
Dodd.	Richardson.
Donnell.	Rogers.
Elliott.	Satterwhite.
Farmer.	Sherrill.
Farrar.	Smith of Wood.
Fuchs.	Stephens.
Goodman.	Terrell
Graves.	of Cherokee.
Greathouse.	Vaughan.
Hanson.	Veatch.
Harman.	Walker.
Hefley.	West of Coryell.
Holloway.	Wiggs.
Hoskins.	Wyatt.

## Present—Not Voting.

Brooks.

## Absent.

Adkins.	Jones of Atascosa.
Baker.	Lasseter.
Barron.	Lemens.
Brice.	Leonard.
Coombes.	Long.
DeWolfe.	McGregor.
Dowell.	Mehl.
Dunlap.	Metcalfe.
Engelhard.	Savage.
Finn.	Stevenson.
Gilbert.	Tarwater.
Herzik.	Terrell
Hines.	of Val Verde.
Johnson	Van Zandt.
of Dallam.	Young.
Johnson of Morris.	

## Absent—Excused.

Hardy.

Mr. Laird offered the following amendment to the resolution:

Amend Senate joint resolution No. 2, page 13, line 3, by changing the figures "1931" to "1932."

Mr. Hubbard moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—72.

Adams of Harris.	Albritton.
Adams of Jasper.	Beck.
Adamson.	Bedford.

Boyd.	Lee.
Bradley.	Lilley.
Bryant.	Lockhart.
Burns of Walker.	McCombs.
Burns	McDougald.
of McCulloch.	McGill.
Carpenter.	Martin.
Caven.	Mathis.
Claunch.	Moffett.
Coltrin.	Morse.
Cox of Lamar.	Munson.
Cox of Limestone.	Murphy.
Daniel.	Nicholson.
Davis.	Olsen.
Dodd.	O'Quinn.
Dwyer.	Patterson.
Fisher.	Petsch.
Forbes.	Ratliff.
Ford.	Reader.
Gilbert.	Rountree.
Grogan.	Satterwhite.
Harrison	Shelton.
of Waller.	Smith of Bastrop.
Herzik.	Sparkman.
Hill.	Steward.
Holder.	Strong.
Holland.	Sullivant.
Howsley.	Towery.
Hubbard.	Turner.
Johnson	Wagstaff.
of Dimmit.	Warwick.
Johnson of Morris.	Weinert.
Jones of Shelby.	West of Cameron.
Justiss.	Westbrook.
Kayton.	

## Nays—40.

Akin.	Kennedy.
Alsup.	Laird.
Anderson.	Lasseter.
Bond.	Magee.
Bounds.	Moore.
Brice.	Pope.
Brooks.	Ramsey.
Dale.	Ray.
Donnell.	Richardson.
Elliott.	Rogers.
Farmer.	Smith of Wood.
Farrar.	Stephens.
Ferguson.	Terrell
Fuchs.	of Cherokee.
Goodman.	Vaughan.
Graves.	Veatch.
Greathouse.	Walker.
Hanson.	West of Coryell.
Hefley.	Wyatt.
Holloway.	Young.
Hughes.	

## Absent.

Adkins.	Dunlap.
Baker.	Duvall.
Barron.	Engelhard.
Coombes.	Finn.
Cunningham.	Giles.
DeWolfe.	Harman.
Dowell.	

Harrison	McGregor.
of El Paso.	Mehl.
Hatchitt.	Metcalfe.
Hines.	Sanders.
Hoskins.	Savage.
Jackson.	Scott.
Johnson	Sherrill.
of Dallam.	Stevenson.
Jones of Atascosa.	Tarwater.
Keller.	Terrell
Lemens.	of Val Verde.
Leonard.	Van Zandt.
Long.	Wiggs.

## Absent—Excused.

Hardy.

Mr. Burns of McCulloch offered the following amendment to the resolution:

Amend Senate joint resolution No. 2 by striking out all of the first paragraph of Section 1 and insert in lieu thereof the following:

"Section 1. The following constitutional amendment shall be submitted to a vote of the people as hereinafter provided."

Mr. DeWolfe moved the previous question on the pending amendment and the resolution, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost by the following vote:

## Yeas—67.

Adams of Harris.	Hanson.
Akin.	Harman.
Albritton.	Hefley.
Bond.	Herzik.
Bounds.	Hines.
Brice.	Holder.
Brooks.	Holland.
Burns of Walker.	Hoskins.
Burns	Hughes.
of McCulloch.	Jones of Atascosa.
Claunch.	Justiss.
Coltrin.	Kayton.
Cox of Limestone.	Keller.
Cunningham.	Kennedy.
Dale.	McGregor.
Daniel.	Magee.
Davis.	Mathis.
DeWolfe.	Metcalfe.
Donnell.	Moffett.
Elliott.	Olsen.
Farmer.	Ramsey.
Farrar.	Richardson.
Ferguson.	Rogers.
Fisher.	Sanders.
Fuchs.	Satterwhite.
Giles.	Scott.
Goodman.	Sherrill.
Graves.	Smith of Wood.

Stephens.	Warwick.
Stevenson.	Weinert.
Tarwater.	West of Coryell.
Terrell	Wiggs.
of Cherokee.	Wyatt.
Vaughan.	Young.
Veatch.	

## Nays—68.

Adams of Jasper.	Lasseter.
Adamson.	Lee.
Alsup.	Lemens.
Anderson.	Lilley.
Barron.	Lockhart.
Beck.	McCombs.
Bedford.	McDougald.
Boyd.	McGill.
Bradley.	Martin.
Bryant.	Mehl.
Carpenter.	Moore.
Caven.	Morse.
Cox of Lamar.	Munson.
Dodd.	Murphy.
Dowell.	Nicholson.
Dwyer.	O'Quinn.
Finn.	Patterson.
Forbes.	Petsch.
Ford.	Pope.
Gilbert.	Ratliff.
Greathouse.	Ray.
Grogan.	Reader.
Harrison	Rountree.
of Waller.	Shelton.
Hatchitt.	Smith of Bastrop.
Hill.	Sparkman.
Holloway.	Steward.
Howsley.	Strong.
Hubbard.	Sullivant.
Jackson.	Towery.
Johnson	Turner.
of Dimmit.	Wagstaff.
Johnson of Morris.	Walker.
Jones of Shelby.	West of Cameron.
Laird.	Westbrook.

## Absent.

Adkins.	Johnson
Baker.	of Dallam.
Coombes.	Leonard.
Dunlap.	Long.
Duvall.	Savage.
Engelhard.	Terrell
Harrison	of Val Verde.
of El Paso.	Van Zandt.

## Absent—Excused.

Hardy.

Mr. Johnson of Dimmit moved to table the amendment by Mr. Burns of McCulloch.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—91.

Adams of Harris.	Johnson of Morris.
Adams of Jasper.	Jones of Shelby.
Adamson.	Jones of Atascosa.
Beck.	Justiss.
Bedford.	Kayton.
Boyd.	Keller.
Bradley.	Laird.
Brice.	Lee.
Bryant.	Lilley.
Burns of Walker.	Lockhart.
Carpenter.	McCombs.
Caven.	McDougald.
Claunch.	McGill.
Coltrin.	McGregor.
Coombes.	Mathis.
Cox of Lamar.	Moffett.
Cox of Limestone.	Moore.
Cunningham.	Morse.
Daniel.	Munson.
Davis.	Murphy.
Dodd.	Nicholson.
Dowell.	Olsen.
Duvall.	O'Quinn.
Dwyer.	Patterson.
Ferguson.	Petsch.
Finn.	Ratliff.
Fisher.	Reader.
Forbes.	Rountree.
Ford.	Satterwhite.
Gilbert.	Shelton.
Giles.	Smith of Bastrop.
Greathouse.	Sparkman.
Grogan.	Steward.
Harrison	Strong.
of El Paso.	Sullivant.
Harrison	Tarwater.
of Waller.	Terrell
Herzik.	of Cherokee.
Hill.	Terrell
Hines.	of Val Verde.
Holder.	Towery.
Holland.	Turner.
Howsley.	Wagstaff.
Hubbard.	Walker.
Hughes.	Warwick.
Jackson.	Weinert.
Johnson	West of Cameron.
of Dimmit.	Westbrook.

## Nays—36.

Akin.	Goodman.
Albritton.	Hanson.
Alsup.	Hefley.
Bond.	Holloway.
Bounds.	Hoskins.
Brooks.	Kennedy.
Burns	Lasseter.
of McCulloch.	Magee.
Dale.	Metcalfe.
DeWolfe.	Pope.
Donnell.	Ramsey.
Elliott.	Ray.
Farmer.	Richardson.
Fuchs.	Rogers.

Scott.  
Sherrill.  
Smith of Wood.  
Stephens.  
Vaughan.

Veatch.  
West of Coryell.  
Wyatt.  
Young.

Absent.

Adkins.  
Anderson.  
Baker.  
Barron.  
Dunlap.  
Engelhard.  
Farrar.  
Graves.  
Harman.  
Hatchitt.  
Johnson  
of Dallam.

Lemens.  
Leonard.  
Long.  
Martin.  
Mehl.  
Sanders.  
Savage.  
Stevenson.  
Van Zandt.  
Wiggs.

Absent—Excused.

Hardy.

Mr. Kennedy offered the following amendment to the resolution:

Amend Senate joint resolution No. 2, on page 13, line 2, by striking out "Tuesday" in said line and substitute "Saturday."

Mr. Beck moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—71.

Adams of Harris.	Johnson
Adams of Jasper.	of Dimmit.
Adamson.	Johnson of Morris.
Anderson.	Jones of Shelby.
Beck.	Jones of Atascosa.
Bedford.	Justiss.
Boyd.	Lee.
Carpenter.	Lemens.
Caven.	Lilley.
Claunch.	Lockhart.
Coltrin.	McCombs.
Cox of Lamar.	McDougald.
Cox of Limestone.	McGill.
Cunningham.	McGregor.
Daniel.	Martin.
Davis.	Mathis.
Dwyer.	Morse.
Fisher.	Munson.
Forbes.	Murphy.
Ford.	Nicholson.
Gilbert.	Olsen.
Grogan.	O'Quinn.
Hatchitt.	Patterson.
Hill.	Petsch.
Holder.	Ramsey.
Holland.	Ratliff.
Howsley.	Reader.
Hubbard.	Rountree.
Hughes.	Savage.
Johnson	Shelton.
of Dallam.	Smith of Bastrop.

Sparkman.  
Steward.  
Strong.  
Sullivant.  
Towery.  
Turner.

Van Zandt.  
Wagstaff.  
Warwick.  
Weinert.  
Westbrook.

Nays—58.

Akin.  
Albritton.  
Alsup.  
Bounds.  
Bradley.  
Brice.  
Brooks.  
Bryant.  
Burns of Walker.  
Coombes.  
Dale.  
DeWolfe.  
Dodd.  
Donnell.  
Dowell.  
Duvall.  
Elliott.  
Farmer.  
Farrar.  
Ferguson.  
Fuchs.  
Giles.  
Goodman.  
Graves.  
Hanson.  
Harman.  
Harrison  
of Waller.  
Hefley.  
Herzik.

Hines.  
Holloway.  
Hoskins.  
Kayton.  
Kennedy.  
Laird.  
Lasseter.  
Leonard.  
Magee.  
Metcalf.  
Moffett.  
Moore.  
Pope.  
Ray.  
Richardson.  
Rogers.  
Satterwhite.  
Scott.  
Smith of Wood.  
Stephens.  
Stevenson.  
Tarwater.  
Terrell  
of Cherokee.  
Vaughan.  
Veatch.  
Walker.  
West of Coryell.  
Wiggs.  
Wyatt.

Absent.

Adkins.	Jackson.
Baker.	Keller.
Barron.	Long.
Bond.	Mehl.
Burns	Sanders.
of McCulloch.	Sherrill.
Dunlap.	Terrell
Engelhard.	of Val Verde.
Finn.	West of Cameron.
Greathouse.	Young.
Harrison	
of El Paso.	

Absent—Excused.

Hardy.

Mr. Beck moved the previous question on the resolution, and the main question was ordered.

Mr. Kayton moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider was lost. Senate joint resolution No. 2 then failed to pass by the following vote:



## Yeas—88.

Adams of Harris.	Justiss.
Adams of Jasper.	Kayton.
Adamson.	Keller.
Albritton.	Lee.
Anderson.	Lemens.
Bedford.	Leonard.
Boyd.	Lilley.
Bradley.	Lockhart.
Bryant.	McCombs.
Burns of Walker.	McDougald.
Carpenter.	McGill.
Caven.	Martin.
Coltrin.	Mathis.
Cox of Lamar.	Mehl.
Cunningham.	Metcalfe.
Daniel.	Moore.
Davis.	Morse.
Dodd.	Munson.
Dowell.	Murphy.
Dunlap.	Nicholson.
Duvall.	Olsen.
Dwyer.	O'Quinn.
Finn.	Patterson.
Forbes.	Petsch.
Ford.	Ratliff.
Gilbert.	Reader.
Grogan.	Rountree.
Harrison	Sanders.
of El Paso.	Savage.
Harrison	Shelton.
of Waller.	Smith of Bastrop.
Hatchitt.	Sparkman.
Herzik.	Steward.
Hill.	Strong.
Hines.	Sullivant.
Holder.	Terrell
Holland.	of Val Verde.
Howsley.	Towery.
Hubbard.	Turner.
Jackson.	Van Zandt.
Johnson	Wagstaff.
of Dallam.	Walker.
Johnson	Warwick.
of Dimmit.	Weinert.
Johnson of Morris.	West of Cameron.
Jones of Shelby.	Westbrook.
Jones of Atascosa.	

## Nays—53.

Akin.	Farmer.
Alsup.	Farrar.
Beck.	Ferguson.
Bond.	Fisher.
Bounds.	Fuchs.
Brooks.	Giles.
Burns	Goodman.
of McCulloch.	Graves.
Claunch.	Greathouse.
Coombes.	Hanson.
Cox of Limestone.	Harman.
Dale.	Hefley.
DeWolfe.	Holloway.
Donnell.	Hoskins.
Elliott.	Hughes.

Kennedy.	Smith of Wood.
Laird.	Stephens.
Lasseter.	Stevenson.
McGregor.	Tarwater.
Magee.	Terrell
Moffett.	of Cherokee.
Pope.	Vaughan.
Ramsey.	Veatch.
Ray.	West of Coryell.
Richardson.	Wiggs.
Rogers.	Wyatt.
Satterwhite.	Young.
Scott.	

## Present—Not Voting.

Barron.	Long.
Brice.	Sherrill.

## Absent.

Adkins.	Engelhard.
Baker.	

## Absent—Excused.

Hardy.

## Paired.

Mr. Barron (present), who would vote "yea," with Mr. Adkins (absent), who would vote "nay."

Mr. Beck moved to reconsider the vote by which the resolution failed to pass, and asked to have the motion to reconsider spread on the Journal.

## Reasons for Vote.

I shall vote "yea" for the following reasons:

(1). It is effective tax relief in that it lifts the mortgage liens from the homes and ranches of Texas and places them on motor fuel.

(2). It guarantees reimbursement to the counties for highway funds previously expended, amounting to \$515,112.19 for Henderson county alone.

(3). It offers a safe and constructive building program for the Highway Department.

## TOWERY.

I voted "present and not voting" on the bond issue because I think it is the most unskillfully wrought piece of legislation ever introduced in the Legislature. Under the amendment as written it would be possible to issue \$312,000,000. Furthermore, it would authorize the issuance of \$20,000,000 per year for any number of years. I would be glad to vote for

and support a bond issue that was definite and concise in its application.

SHERILL.

I voted for Senate joint resolution No. 2 believing that the voters of this State should have a right to pass upon the issue therein contained. I am opposed to the State's issuing bonds for highway construction, but since this resolution gives the people the right to reject bonds for highway construction purposes and gives them the right to authorize issuance of bonds to take up outstanding county and road district bonds, I think it is fair that the people should have the right to vote upon the question. I believe the Stevenson and Brooks bills passed by the House will give relief needed, but being confident they have no chance to pass the Senate and Governor's office, I have voted as above. Previously I voted against this resolution in interest of the said Brooks and Stevenson bills.

WALKER.

I voted against submission of bond amendment, and among my reasons for such vote I mention these: During the campaign of 1930, although I had no opposition, I repeatedly stated to voters that I was opposed to the State inaugurating a policy of issuing bonds for any purpose, and cannot break faith. But aside from this, I would vote against changing that constitutional policy which has to this day maintained the credit and solvency of this State. Under a different policy counties, cities, districts and other subdivisions have exhausted their credit, and imposed taxes of such magnitude that their properties are unsalable, and bankruptcy faces their people. But the credit of the State, under its policy, is unimpaired. Why change to that other policy which has proven so disastrous? But for a stronger reason I am opposed to the further issuance of nontaxable interest-bearing bonds. The volume of such bonds has become so great that, vampire-like, they are sapping the life's blood of all physical properties, absorbing their revenue, until land and property has become unsalable, industrial institutions are lagging in face of the unfair competition of non-taxable, interest-bearing bonds. We should stop this orgy of bond issues and return to the sane, even though

hard policy as "pay as we go." I challenge the moral right of any generation to vote another generation into "bondage." I shall not refer to some very serious objections which an analytical study of the resolution will reveal. But I wish to comment on one of the apparently specious arguments urged by the proponents of the bond resolution. They urge that we should submit the resolution and let the people decide. Ordinarily that might be true. But what is the present situation? This resolution orders the election to be held in November, 1931. At the beginning of this session, in order to relieve the deplorable financial conditions, we passed the tax paying moratorium. Thousands of our citizens failed to procure a poll tax receipt. An attempt was made to divide the resolution so that the election would be held in November, 1932, so that this injustice to thousands of our citizens might not occur. The amendment was defeated. I am unwilling to submit an amendment under such conditions when so many of our people are disfranchised. It would not be a fair expression of the will of the people.

FARRAR.

In response to letters, petitions and requests from my district, and feeling that I should not withhold from the people of Texas, who are the jury, the right to determine if they wish the bond method of financing State highways, and as Senate joint resolution No. 2 is not similar to the highway bond resolution that was before the Forty-first Legislature, I voted for submission of Senate joint resolution No. 2, without prejudice. Heretofore I voted for the Ben Brooks bill and the Stevenson bills endeavoring to give by my vote then and by my vote today relief and a change of the highway tax burden from property owners to the gasoline tax.

DOWELL.

I vote for the submission of the State-wide bond issue because of a strong demand for its submission from many of the people of Hidalgo county. Since the submission of the bond issue was not a question and was not discussed during my campaign, I feel that it is fair to my people to vote to allow them the opportunity of casting their votes on it.

LEONARD.

I have at all times opposed amending the Constitution for a bond issue. I opposed the original plan and am personally opposed to Senate joint resolution No. 2 before the House today. The new plan is much more favorable to my county than the old. Due to this fact, the people of my county met in mass meeting on Monday night, April 27, 1931, and on Wednesday, April 29, a committee from my home delivered to me a petition bearing, they stated, 1100 names of my constituents, advising me that 95 per cent of the people of my county were requesting my supporting the new bond plan. In view of the fact that my people request my affirmative vote I am voting "yea," though I do so very reluctantly, believing such an amendment dangerous to our posterity. In voting "yea" upon this resolution, I do so believing that I am voting the voice of my people, against my own personal convictions. My personal opinion must not rule, but to my people goes the echo, "Thy will, not mine, be done."

CUNNINGHAM.

I vote "present" on the final passage of Senate joint resolution No. 2 as I was paired with a party who would vote "yea," while I would be absent and vote "nay." Since the proponents of the bond issue sent two Sergeants-at-Arms and two Texas Rangers to my residence, and the Adjutant General made two misrepresentations, and threatened to break my door down, and did attempt to, I agreed with said party that we would both vote present. I am against the bond issue and would have voted "nay" if I had not been paired and the events took the course they did.

LONG.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 159, "An Act to amend Section 1 of Chapter 90, Acts of the Forty-first Legislature, First Called Session, and declaring an emergency."

H. B. No. 402, "An Act to authorize the payment of the apportionment of the State and county available school fund, and additional tuition if necessary, to public schools in Louisiana, Arkansas, Oklahoma and New Mexico for the benefit of children who reside in Texas school districts on the border of such States; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 555, "An Act amending Article 2033, Revised Civil Statutes, 1925, permitting citation to be served on the local agents of individual or partnerships supplying gas, water, electricity or other service to villages, towns and cities, and declaring an emergency."

H. B. No. 796, "An Act to amend Article 3902 of the Revised Statutes of 1925, as amended by the Acts of 1929, Forty-first Legislature, Chapter 92, page 225, providing for the appointment and compensation of first assistants, heads of departments, other assistants, stenographers, clerks and investigators in the office of the county attorney in any county having a population of more than 130,000 and less than 150,000 inhabitants, as shown by the latest United States census, and containing two cities of 50,000 or more population, each, as shown by said census, said county composing two or more judicial districts and having no district attorney, by adding Section 3902e; repealing all laws and parts of laws in conflict with the amendment herewith provided for, and declaring an emergency."

H. B. No. 955, "An Act amending Chapter 3, Title 51, of the Revised Civil Statutes of Texas, 1925, by adding Articles 3202a and 3202b, providing for the payment, by the guardians or other persons legally liable, for the support and maintenance of children maintained and supported in certain State institutions and schools of Texas; authorizing the State Board of Control to fix the amount of such charges; make investigations concerning the ability of such persons to make payment thereof; providing the means and manner of collecting such charges, and for an additional method of discharge of such children from such institutions, and declaring an emergency."

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 6, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

S. B. No. 283, A bill to be entitled  
"An Act to give and grant to J. W.  
Howard and his wife, Maude Howard,  
leave and permission to prosecute, in  
the proper courts of Houston county,  
Texas, suit against the State of Texas,  
and D. K. Martin, Cone Johnson and  
W. R. Ely, as Highway Commission-  
ers of the State of Texas, in their of-  
ficial capacity only, for personal in-  
juries to the wife, Maude Howard, and  
damage to their automobile, and de-  
claring an emergency."

S. B. No. 106, A bill to be entitled  
"An Act creating a committee to be  
known and styled 'The Texas Cen-  
tennial Committee.' Said committee  
to be composed of nine members,  
three of whom are to be appointed  
by the Speaker of the House, three  
by the Lieutenant Governor and three  
by the Governor; providing that said  
committee shall be commissioned,  
shall organize by the election of a  
president, a vice-president and other  
necessary officers and employes. That  
said committee shall serve without  
any compensation other than their  
traveling expenses and hotel bills, and  
declaring an emergency."

S. B. No. 617, A bill to be entitled  
"An Act to amend Chapter 13 of  
Title 28 of the Revised Civil Statutes  
of Texas, by adding thereto an ar-  
ticle to be Article 1180a, making cer-  
tain and establishing the right of  
cities operating under the provisions  
of said Chapter 13, which may have  
a population exceeding 150,000 people  
according to the last or any succeed-  
ing Federal census, to provide im-  
provements and works to control any  
harmful excess of water, etc., and de-  
claring an emergency."

The Senate has granted the request  
of the House for a conference com-  
mittee on House bill No. 1019, and the  
following have been appointed on the  
part of the Senate: Messrs. Purl,  
Woodward, Moore, Woodruff and Mar-  
tin.

The Senate has adopted the confer-  
ence committee report on House bill  
No. 470 by the following vote: Yeas  
30, nays 0.

Respectfully,  
BOB BARKE7R,  
Secretary of the Senate.

(Mr. Keller in the chair.)

CONFERENCE COMMITTEE ON  
HOUSE BILL NO. 335.

The Speaker announced the appoint-  
ment of the following conference com-  
mittee on House bill No. 335:

Messrs. Murphy, McGregor, Davis,  
Beck and Pope.

CONFERENCE COMMITTEE ON  
HOUSE BILL NO. 336.

The Speaker announced the appoint-  
ment of the following conference com-  
mittee on House bill No. 336:

Messrs. Murphy, McGregor, Davis,  
Beck and Pope.

SENATE BILL NO. 375 ON PAS-  
SAGE TO THIRD READING.

The Speaker laid before the House,  
as postponed business, on its passage  
to third reading,

S. B. No. 375, A bill to be entitled  
"An Act creating the Division of  
Child Welfare in the Board of Con-  
trol; empowering the Board of Con-  
trol to employ a chief and necessary  
assistants; prescribing qualification  
of the chief; defining the duty of the  
division as to defective, illegitimate,  
dependent, neglected and delinquent  
children through enforcement of all  
State laws in regard thereto; vesting  
authority for payment of all ex-  
penses; providing for county welfare  
boards, and describing their duties;  
outlining said county offices and  
agencies; describing methods to be  
employed by the Board of Control in  
importation and exportation of mi-  
nors, declaring penalty for violation  
of such provisions; providing for li-  
censing, visiting and inspection of in-  
dividuals, agents and institutions han-  
dling children, vesting authority in  
the Board as to charter for such pur-  
poses; imposing duty on Child Wel-  
fare Division as to certain eleemosy-  
nary institutions and their policies;  
declaring children receiving aid  
through the Board of Control as  
wards of the State, and outlining cus-  
tody and guardianship of same; sav-  
ing clause, and declaring an emer-  
gency."

The bill having heretofore been read second time.

Question—Shall the bill pass to third reading.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 470.

Mr. Metcalfe submitted the following conference committee report on House bill No. 470:

Committee Room,  
Austin, Texas, May 6, 1931.

Hon. Edgar E. Witt, President of the Senate; Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your conference committee, heretofore appointed to adjust the difference between the Senate and the House on House bill No. 470, being "An Act authorizing county boards of school trustees, in certain counties of Texas, to employ rural school supervisors in lieu of holding teachers' institutes, defining their duties and fixing their compensation."

Beg leave to report that we have agreed upon the differences between the two houses, and recommend the following:

That in place of the amendment striking out the population in the House bill, and inserting in lieu thereof the words: "Tom Green county," the following be substituted:

Strike out of line 4, section 1, of the bill the words "United States census of the year 1930," and substitute in lieu thereof the following: "last preceding Federal census."

The conferees upon the part of the House have agreed to the Senate amendment to Section 5 of the bill.

Respectfully submitted,

METCALFE,  
DOWELL,  
ALSUP,  
MAGEE,  
JOHNSON of Dallam,  
On the part of the House.

WOODWARD,  
BERKELEY,  
WOODUL,  
PURL,  
GREER,  
On the part of the Senate.

On motion of Mr. Metcalfe, the report was adopted by the following vote:

Yeas—105.

Mr. Speaker.	Hubbard.
Adams of Jasper.	Hughes.
Adamson.	Jackson.
Adkins.	Johnson
Akin.	of Dallam.
Albritton.	Johnson
Alsup.	of Dimmit.
Anderson.	Johnson of Morris.
Barron.	Justiss.
Bedford.	Kayton.
Bond.	Laird.
Bounds.	Lemens.
Boyd.	Leonard.
Bradley.	Lilley.
Brice.	Lockhart.
Brooks.	Long.
Bryant.	McCombs.
Burns of Walker.	McDougald.
Carpenter.	McGill.
Caven.	McGregor.
Claunch.	Magee.
Coltrin.	Martin.
Cox of Lamar.	Metcalfe.
Cunningham.	Moore.
Dale.	Munson.
Daniel.	Murphy.
Davis.	Olsen.
DeWolfe.	O'Quinn.
Dodd.	Patterson.
Donnell.	Petsch.
Dowell.	Pope.
Duvall.	Ratliff.
Elliott.	Rogers.
Farrar.	Rountree.
Ferguson.	Sanders.
Finn.	Satterwhite.
Forbes.	Sherrill.
Ford.	Smith of Bastrop.
Fuchs.	Sparkman.
Giles.	Stevenson.
Goodman.	Steward.
Graves.	Strong.
Greathouse.	Sullivant.
Grogan.	Tarwater.
Harman.	Terrell
Harrison	of Cherokee.
of El Paso.	Turner.
Harrison	Vaughan.
of Waller.	Veatch.
Hatchitt.	Wagstaff.
Hefley.	Walker.
Hill.	Warwick.
Holder.	West of Coryell.
Holloway.	West of Cameron.
Hoskins.	Young.
Howsley.	

Present—Not Voting.

Farmer. Kennedy.

Absent.

Adams of Harris.	Burns
Baker.	of McCulloch.
Beck.	Coombes.

Cox of Limestone.	Nicholson.
Dunlap.	Ramsey.
Dwyer.	Ray.
Engelhard.	Reader.
Fisher.	Richardson.
Gilbert.	Savage.
Hanson.	Scott.
Herzik.	Shelton.
Hines.	Smith of Wood.
Holland.	Stephens.
Jones of Shelby.	Terrell
Jones of Atascosa.	of Val Verde.
Keller.	Towery.
Lasseter.	Van Zandt.
Lee.	Weinert.
Mathis.	Westbrook.
Mehl.	Wiggs.
Moffett.	Wyatt.

Absent—Excused.

Hardy. Morse.

## HOUSE BILL ON FIRST READING.

The following House bill, introduced today (by unanimous consent), was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Howsley:

H. B. No. 1052, A bill to be entitled "An Act defining and prohibiting the waste of oil, gas and gas energy, and wasteful dissipation of the gas energy or water drive of an oil and/or gas pool; requiring ratable production of oil under certain circumstances, and providing that it shall be no defense against any order, rule or regulation of the Railroad Commission entered for such purpose that an individual producer in violating the order, rule or regulation involved is not producing waste by the operations on its or his own leases or properties, etc., and declaring an emergency."

Referred to Committee on Oil, Gas and Mining.

## SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 617, to the Committee on Conservation and Reclamation.

Senate bill No. 238, to the Committee on State Affairs.

Senate bill No. 106, to the Committee on Appropriations.

## SENATE BILL NO. 522 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 522, A bill to be entitled "An Act to amend Article 1605, Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 522 ON THIRD READING.

Mr. Bradley moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 522 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Mr. Speaker.	Giles.
Adams of Jasper.	Goodman.
Adamson.	Grogan.
Adkins.	Harman.
Akin.	Harrison
Alsup.	of El Paso.
Anderson.	Harrison
Barron.	of Waller.
Beck.	Hatchitt.
Bedford.	Holder.
Bond.	Holland.
Bounds.	Holloway.
Boyd.	Hoskins.
Bradley.	Hubbard.
Bryant.	Hughes.
Burns of Walker.	Johnson
Burns	of Dallam.
of McCulloch.	Johnson
Carpenter.	of Dimmit.
Caven.	Johnson of Morris.
Claunch.	Jones of Shelby.
Coombes.	Jones of Atascosa.
Cox of Lamar.	Justiss.
Cunningham.	Kayton.
Dale.	Laird.
Daniel.	Lasseter.
Davis.	Lee.
Dodd.	Lemens.
Donnell.	Leonard.
Dowell.	Lilley.
Dunlap.	Lockhart.
Dwyer.	Long.
Elliott.	McGill.
Farrar.	McGregor.
Ferguson.	Magee.
Finn.	Martin.
Forbes.	Mathis.
Ford.	Metcalfe.
Gilbert.	Moore.

Munson.	Steward.
Murphy.	Strong.
Olsen.	Sullivant.
Petsch.	Tarwater.
Pope.	Terrell
Ratliff.	of Cherokee.
Ray.	Turner.
Rogers.	Vaughan.
Rountree.	Veatch.
Satterwhite.	Wagstaff.
Savage.	Walker.
Scott.	Warwick.
Sherrill.	Weinert.
Smith of Bastrop.	West of Coryell.
Smith of Wood.	West of Cameron.
Sparkman.	Wiggs.
Stephens.	Young.

## Nays—1.

Greathouse.

## Present—Not Voting.

Farmer. Kennedy.

## Absent.

Adams of Harris.	Keller.
Albritton.	McCombs.
Baker.	McDougald.
Brice.	Mehl.
Brooks.	Moffett.
Coltrin.	Nicholson.
Cox of Limestone.	O'Quinn.
DeWolfe.	Patterson.
Duvall.	Ramsey.
Engelhard.	Reader.
Fisher.	Richardson.
Fuchs.	Sanders.
Graves.	Shelton.
Hanson.	Stevenson.
Hefley.	Terrell
Herzik.	of Val Verde.
Hill.	Towery.
Hines.	Van Zandt.
Howsley.	Westbrook.
Jackson.	Wyatt.

## Absent—Excused.

Hardy. Morse.

The Speaker then laid Senate bill No. 522 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—102.

Mr. Speaker.	Bedford.
Adams of Jasper.	Bond.
Adamson.	Bounds.
Adkins.	Boyd.
Alsup.	Bradley.
Anderson.	Brooks.
Barron.	Bryant.
Beck.	Burns of Walker.

Burns	Lemens.
of McCulloch.	Lilley.
Carpenter.	Lockhart.
Caven.	Long.
Claunch.	McDougald.
Coltrin.	McGill.
Coombes.	McGregor.
Cox of Lamar.	Magee.
Dale.	Martin.
Daniel.	Mathis.
Davis.	Metcalfe.
Dodd.	Moore.
Donnell.	Munson.
Dowell.	Olsen.
Dunlap.	O'Quinn.
Elliott.	Petsch.
Farrar.	Pope.
Ferguson.	Ratliff.
Finn.	Rogers.
Forbes.	Sanders.
Fuchs.	Satterwhite.
Gilbert.	Savage.
Giles.	Scott.
Goodman.	Sherrill.
Grogan.	Smith of Bastrop.
Harman.	Smith of Wood.
Harrison	Sparkman.
of El Paso.	Stephens.
Harrison	Strong.
of Waller.	Sullivant.
Hatchitt.	Tarwater.
Holland.	Terrell
Holloway.	of Cherokee.
Hoskins.	Terrell
Hubbard.	of Val Verde.
Hughes.	Turner.
Johnson	Vaughan.
of Dallam.	Veatch.
Johnson	Wagstaff.
of Dimmit.	Walker.
Johnson of Morris.	Warwick.
Jones of Shelby.	Weinert.
Jones of Atascosa.	West of Coryell.
Justiss.	West of Cameron.
Kayton.	Wiggs.
Laird.	Young.
Lee.	

## Nays—1.

Greathouse.

## Present—Not Voting.

Akin. Kennedy.

Farmer.

## Absent.

Adams of Harris.	Ford.
Albritton.	Graves.
Baker.	Hanson.
Brice.	Hefley.
Cox of Limestone.	Herzik.
Cunningham.	Hill.
DeWolfe.	Hines.
Duvall.	Holder.
Dwyer.	Howsley.
Engelhard.	Jackson.
Fisher.	Keller.

Lasseter.	Reader.
Leonard.	Richardson.
McCombs.	Rountree.
Mehl.	Shelton.
Moffett.	Stevenson.
Murphy.	Steward.
Nicholson.	Towery.
Patterson.	Van Zandt.
Ramsey.	Westbrook.
Ray.	Wyatt.

Absent—Excused.

Hardy. Morse.

#### SENATE BILL NO. 115 ON PAS- SAGE TO THIRD READING.

Mr. Davis moved to take up, for consideration at this time,

S. B. No. 115, A bill to be entitled "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of the State of Texas of 1927, relating to the organization of the Fifty-first (51st) Judicial District of the State of Texas; reorganizing the same; naming the counties constituting the same, and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth (35th) Judicial District of the State of Texas, reorganizing the same, naming the counties constituting the same, and fixing the terms of court to be held in the several counties therein; creating the One Hundred and Nineteenth (119th) Judicial District of Texas, naming the counties constituting said district, fixing the terms of holding court in the several counties therein, etc., and declaring an emergency."

The bill having heretofore been read second time and laid on the table subject to call, due notice having been given that same would be taken up today.

The motion prevailed.

Senate bill No. 115 was then passed to third reading.

#### BILL ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Holland, Senate bill No. 387 was ordered not printed.

#### NOTICES GIVEN.

Mr. Pope gave notice that he would, on tomorrow, move to take up for con-

sideration at that time, Senate bill No. 72, which bill had heretofore been laid on the table subject to call.

Mr. McGregor gave notice that he would, on next Friday, move to take up for consideration at that time, House bill No. 188, which bill had heretofore been laid on the table subject to call.

Mr. Lemens gave notice that he would, on next Friday, move to take up for consideration at that time, House bill No. 605, which bill had heretofore been laid on the table subject to call.

Mr. Olsen gave notice that he would, on next Friday, move to take up for consideration at that time, House bill No. 46, which bill had heretofore been laid on the table subject to call.

Mr. Lasseter gave notice that he would, on tomorrow, move to take up for consideration at that time, Senate bill No. 172, which bill had heretofore been laid on the table subject to call.

Mr. Anderson gave notice that he would, on tomorrow, move to take up for consideration at that time, Senate bill No. 97, which bill had heretofore been laid on the table subject to call.

#### HOUSE BILL NO. 1048 ON SEC- OND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1048, A bill to be entitled "An Act authorizing the appointment of an investigator in Tom Green county, Texas, by the district attorney of the Fifty-first Judicial District; fixing the compensation of such investigator and the amount of expense allowed him, and providing a method for the payment thereof; repealing House bill No. 43 of the Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 738 ON SEC- OND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,



H. B. No. 738, A bill to be entitled "An Act providing that it shall hereafter be unlawful for any person, corporation, insurance company, fraternal organization, burial association or other association to write, sell or issue any certificate, policy, contract or membership maturing upon the death of the person holding same or upon the death of some member of holder's family, if such certificate, policy, contract or membership provides that it is to be paid or settled, or if the plan of such person, corporation, organization or association provides that its certificates, policies, contracts or memberships are to be paid or settled in merchandise or services rendered, etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1047 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1047, A bill to be entitled "An Act to amend Senate bill No. 139, as enacted by the Forty-second Legislature at its Regular Session, the purpose of which was to authorize county boards of school trustees in certain counties of Texas to employ rural school supervisors in lieu of holding teachers' institutes; defining their duties, fixing their compensation, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1022 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1022, A bill to be entitled "An Act amending Article 879 of the Penal Code of Texas, 1925, as amended by Chapter 215, Acts Fortieth Legislature, by amending Article 879a created by said Chapter 215, so as to fix an open season for hunting, taking or killing wild ducks, wild-gees, wild brant, wild snipe, wild gallinules, wild coot or mudhen, conforming to Federal laws, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1017 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1017, A bill to be entitled "An Act amending Chapter 44, Acts Regular Session, Forty-first Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### RECESS.

On motion of Mr. Bond, the House, at 6:15 o'clock p. m., took recess to 9 o'clock a. m. tomorrow.

#### APPENDIX.

##### STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Constitutional Amendments: Senate joint resolution No. 16, House joint resolution No. 46.

Game and Fisheries: House bill No. 1050, Senate bill No. 284.

Insurance: Senate bill No. 163.

Judicial Districts: Senate bill No. 90.

State Affairs: House bills Nos. 987, 1038, 883, 824 and 826, Senate bills Nos. 615, 568 and 573, House concurrent resolution No. 58.

Privileges, Suffrage and Elections: Senate bill No. 593.

The Committee on Constitutional Amendments filed an adverse report, with a minority favorable report, on House joint resolution No. 3.

##### REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, May 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 159, "An Act to amend Section 1 of Chapter 90, Acts of the Forty-first Legislature, First Called Session, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, May 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 402, "An Act to authorize the payment of the apportionment of the State and county available school fund, and additional tuition if necessary, to public schools in Louisiana, Arkansas, Oklahoma and New Mexico for the benefit of children who reside in Texas school districts on the border of such States; repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, May 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 955, "An Act amending Chapter 3, Title 51, of the Revised Civil Statutes of Texas, 1925, by adding Articles 3202a and 3202b, providing for the payment, by the guardians, or other persons legally liable, for the support and maintenance of children maintained and supported in certain State institutions and schools of Texas; authorizing the State Board of Control to fix the amount of such charges; making investigations concerning the ability of such persons to make payment thereof; providing the means and manner of collecting such charges, and for an additional method of discharge of such children from such institution, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, May 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 555, "An Act amending Article 2033, Revised Civil Statutes,

1925, permitting citation to be served on the local agent, representative, superintendent or person in charge of the business of individuals or partnerships supplying gas, water, electricity or other service to villages, towns and cities, and declaring an emergency,"

Have compared compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, May 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 796, "An Act to amend Article 3902 of the Revised Statutes of 1925, as amended by the Acts of 1929, Forty-first Legislature, Chapter 92, page 225, providing for the appointment and compensation of first assistants, heads of departments, other assistants, stenographers, clerks, and investigators, in the office of the county attorney, in any county having a population of more than one hundred and thirty thousand (130,000) and less than one hundred and fifty thousand (150,000) inhabitants, as shown by the latest United States census, and containing two cities of fifty thousand (50,000) or more population, each, as shown by said census, said county composing two or more judicial districts, and having no district attorney, by adding Section 3902e; repealing all laws and parts of laws in conflict with the amendment herewith provided for, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

## FIFTY-FIRST DAY.

(Continued.)

(Thursday, May 7, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

## RELATIVE TO PREVENTING SOIL EROSION.

Mr. Fuchs offered the following resolution:

H. C. R. No. 57, Asking for co-operation of all agencies in preventing soil erosion: